AMENDMENTS

In the Claims

Please amend the claims of the present application as set forth below. A detailed listing of all claims has been provided. A status identifier is provided for each claim in a parenthetical expression following each claim number. Changes to the claims are shown by strikethrough (for deleted matter) or underlining (for added matter).

Applicant appreciates the Office pointing out the prior incorrect numbering of claims that is not in compliance with rule 126. The claims are correctly renumbered herein below in the detailed list of claims. References to claims in this section and in the Remarks section below are made with respect to the new, corrected numbers, along with a parenthetical reference to the previous claim numbers to enable the Office to more easily review this Response. The detailed list of claims itself, however, does not include a parenthetical reference to the previous claim numbers.

Claim 1 was canceled by Supplemental Preliminary Amendment filed 1/16/02.

Claims 21-30 (previously 2-11) were withdrawn by Response to Restriction Requirement filed 9/4/03.

Claims 31-60 (previously 12-41) were therefore pending at the time of the Office Action.

Claims 31-60 (previously 12-41) are rejected.

No claims are canceled by the current response.

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Please add new claims 61-64.

Accordingly, claims 31-64 are now pending.

Please amend claims 31-60 (previously 12-41) as shown in the following detailed list of claims:

1. (Canceled)

21-30. (Withdrawn)

31. (Currently amended) A method facilitating the transmission of streamed digital media data from a server, the server being configured for coupling to a client via a computer network, the method comprising:

receiving multiple communications requests from a client, each such requests employing a different differing network protocols and each request requesting that a server respond to such request using the same network protocol employed by that request;

responding to one of the requests using the same network protocol employed by that request.

32. (Currently amended) A method as recited in claim 31 12 further comprising responding to each request using the network protocol associated with each request.

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33.   (Currently amended)   A method as recited in claim 31 ~~12~~, wherein the multiple communications requests are received substantially concurrently.

34.   (Currently amended)   A method as recited in claim 31 ~~12~~, wherein the network protocols employed are selected from a group consisting of TCP, UDP, HTTP, HTTP proxy, HTTP through port (multiplex) 80, and HTTP through port (multiplex) 8080.

35.   (Currently amended)   A method as recited in claim 31 ~~12~~, wherein the digital media data comprises multimedia data.

36.   (Currently amended)   A method as recited in claim 31 ~~12~~, wherein the digital media data is selected from a group consisting of video and audio data.

37.   (Currently amended)   A method facilitating the transmission of streamed digital media data from a server, the server being configured for coupling to a client via a computer network, the method comprising:

sending multiple communications requests to a server from a client, each ~~such~~ requests employing a different ~~differing~~ network protocols and each ~~such~~ requests requesting ~~request~~ that the server respond to such ~~each~~ request using the same network protocol employed by that requests; and

receiving ~~monitoring reception~~ of one or more responses from the server, wherein each ~~of such~~ responses corresponds to one of the multiple requests and

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each ~~of such~~ responses employs the same network protocol employed by its corresponding request.

38. (Currently amended) A method as recited in claim <u>37</u> ~~18~~ further comprising <u>determining</u> ~~selecting~~ a "most advantageous" protocol amongst network protocols employed by the responses from the server.

39. (Currently amended) A method as recited in claim <u>37</u> ~~18~~ further comprising <u>determining</u> ~~selecting~~ a "most advantageous" protocol amongst network protocols employed by the responses from the server, <u>wherein the "most advantageous" protocol has been predefined as such and has an associated "most advantageous" priority, and wherein the determining comprises selecting a network protocol having the "most advantageous" priority</u> ~~wherein the differing network protocols have an associated "most advantageous" priority associated therewith~~.

40. (Currently amended) A method as recited in claim <u>37</u> ~~18~~, wherein the multiple communications requests are sent substantially in parallel.

41. (Currently amended) A method as recited in claim <u>37</u> ~~18~~, wherein the multiple communications requests are sent substantially concurrently.

42. (Currently amended) A method as recited in claim <u>37</u> ~~18~~, wherein the multiple communications requests are sent within a bounded time frame.

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43. (Currently amended) A method as recited in claim <u>37</u> ~~18~~, wherein the network protocols employed are selected from a group consisting of TCP, UDP, HTTP, HTTP proxy, HTTP ~~through port (multiplex) 80,~~ and HTTP through port (multiplex) 8080.

44. (Currently amended) A method as recited in claim <u>37</u> ~~18~~, wherein the digital media data comprises multimedia data.

45. (Currently amended) A method as recited in claim <u>37</u> ~~18~~, wherein the digital media data is selected from a group consisting of video and audio data.

46. (Currently amended) A server system facilitating the transmission of streamed digital media data via a computer network, the system comprising:

a receiver configured to receive multiple communications requests from a client, such requests employing differing network protocols; <u>and</u>

a responder configured to respond to one of the requests using the same network protocol employed by that request.

47. (Currently amended) A system as recited in claim <u>46</u> ~~27~~, wherein the responder is further configured to respond to each request using the network protocol associated with each request.

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48. (Currently amended) A system as recited in claim <u>46</u> 27, wherein the multiple communications requests are received substantially concurrently.

49. (Currently amended) A system as recited in claim <u>46</u> 27, wherein the network protocols employed are selected from a group consisting of TCP, UDP, HTTP, HTTP proxy, HTTP through port (multiplex) 80, and HTTP through port (multiplex) 8080.

50. (Currently amended) A system as recited in claim <u>46</u> 27, wherein the digital media data comprises multimedia data.

51. (Currently amended) A system as recited in claim <u>46</u> 27, wherein the digital media data is selected from a group consisting of video and audio data.

52. (Currently amended) A client system facilitating the transmission of streamed digital media data via a computer network, the system comprising:

a transmitter configured to send multiple communications requests to a server, <u>each</u> such requests employing <u>a</u> <u>different</u> differing network protocols and requesting that the server respond using the same network protocol employed by that request; <u>and</u>

a monitor configured to receive one or more responses from the server, wherein each of such responses corresponds<u>s</u> to one or more of the multiple

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requests and each ~~of such~~ responses employs the same network protocol employed by its corresponding request.

53. (Currently amended)   A system as recited in claim <u>52</u> ~~33~~ further comprising a protocol selector configured to select a "most advantageous" protocol amongst network protocols employed by the responses from the server.

54. (Currently amended)   A system as recited in claim <u>52</u> ~~33~~ <u>wherein the "most advantageous" protocol has been predefined as such and has an associated "most advantageous" priority, the protocol selector configured to select the "most advantageous" protocol based on the "most advantageous" priority</u> ~~further comprising a protocol selector configured to select a "most advantageous" protocol amongst network protocols employed by the responses from the server, wherein the differing network protocols have an associated "most advantageous" priority associated therewith~~.

55. (Currently amended)   A system as recited in claim <u>52</u> ~~33~~, wherein the transmitter is further configured to send multiple communications requests substantially in parallel.

56. (Currently amended)   A system as recited in claim <u>52</u> ~~33~~, wherein the transmitter is further configured to send multiple communications requests substantially concurrently.

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57. (Currently amended) A system as recited in claim 52 33, wherein the transmitter is further configured to send multiple communications requests within a bounded time frame.

58. (Currently amended) A system as recited in claim 52 33, wherein the network protocols employed are selected from a group consisting of TCP, UDP, HTTP, HTTP proxy, HTTP through port (multiplex) 80, and HTTP through port (multiplex) 8080.

59. (Currently amended) A system as recited in claim 52 33, wherein the digital media data comprises multimedia data.

60. (Currently amended) A system as recited in claim 52 33, wherein the digital media data is selected from a group consisting of video and audio data.

61. (New) A method comprising:

sending multiple requests to a server from a client, each request employing a different network protocol and requesting that the server respond using the same network protocol employed by that request;

receiving one or more responses from the server, wherein each response corresponds to one of the multiple requests and each response employs the same network protocol employed by its corresponding request;

determining if a predefined "best" network protocol is employed by a response from the server; and

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1 if the predefined "best" network protocol is employed by a response from

2 the server, saving parameters pertaining to the predefined "best" network protocol

3 to enable the client to communicate with the server in future communications

4 using the predefined "best" network protocol.

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6 62. (New) A method as recited in claim 61, further comprising:

7 if the predefined "best" network protocol is not employed by a response

8 from the server, selecting a "most advantageous" network protocol employed by a

9 response from the server; and

10 conducting future communications between the client and the server using

11 the "most advantageous" network protocol.

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13 63. (New) A method as recited in claim 62, further comprising:

14 determining that the "most advantageous" network protocol is no longer

15 appropriate;

16 ascertaining a new "most advantageous" network protocol employed by a

17 response from the server; and

18 conducting future communications between the client and the server using

19 the new "most advantageous" network protocol.

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21 64. (New) A method as recited in claim 62, wherein the client and

22 the server comprise a computer network that employs a network topology, and

23 wherein the determining comprises discovering that the network topology has

24 changed.

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